

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

September 2, 2005

IN RE:

PETITION OF CITY OF KNOXVILLE TO PROVIDE 311  
SERVICES TO THE RESIDENTS OF THE CITY OF  
KNOXVILLE

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DOCKET NO.  
05-00045

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ORDER APPROVING PETITION FOR ALLOCATION OF  
N11 NUMBER (311) TO THE CITY OF KNOXVILLE

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This matter came before Chairman Pat Miller, Director Deborah Taylor Tate, and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at the regularly scheduled Authority Conference held on February 28, 2005, to consider the Petition filed by the City of Knoxville (the "Applicant" or "Knoxville") seeking allocation of the 311 abbreviated dialing code to provide public access to non-emergency police and other government services to the City of Knoxville

**FCC's First Report and Order**

On February 19, 1997, the Federal Communications Commission ("FCC") released an order<sup>1</sup> in which the FCC responded to a request for an N11 code<sup>2</sup> that can be dialed to reach non-emergency police services by assigning 311 on a nationwide basis for this purpose<sup>3</sup> In assigning the abbreviated dialing code 311 for access to non-emergency police and other government services, the FCC found

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<sup>1</sup> *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements*, FCC 97-51 ("First Report and Order") 12 F C C R 5572, (February 19, 1997)

<sup>2</sup> Under the North American Numbering Plan ("NANP"), N11 codes are known as service codes See *First Report and Order*, n 2, (Feb 19, 1997)

<sup>3</sup> *First Report and Order* ¶ 2

that such an assignment was in the public interest.<sup>4</sup> The FCC specifically found in the *First Report and Order*

Specifically, we respond to a request for an N11 code that could be dialed to reach non-emergency police services by assigning 311 on a nationwide basis for this purpose. Wherever 311 is currently in use for other purposes, however, we would allow that use to continue until the local government in that area was prepared to activate a non-emergency service.<sup>5</sup>

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We find that use of an N11 code for access to non-emergency police services could alleviate congestion on 911 circuits, which could permit more effective operation of 911 emergency services. By promoting the safety of life and property, ensuring the public prompt access to emergency services is consistent with the purpose stated in Section 1 of the Act. In determining not to alter 911's designation as a national code for emergency services, we have already noted that the use of 911 for this purpose "clearly serves the public interest because end users know that they can dial this code from virtually any exchange in the country in order to obtain emergency assistance." Therefore, ensuring that 911 circuits are not overburdened with non-emergency calls is also of utmost importance. Eventually, the use of a single N11 code nationwide for non-emergency calls will let callers know that they can dial this code from any exchange (to obtain necessary governmental services) without hampering others' access to 911 for emergencies. We also are confident that local education programs will help ensure that members of communities become aware of (1) the new non-emergency number and its primary purpose, (2) the importance of continuing to dial 911 in real emergencies; and (3) any secondary uses for the new code in the particular jurisdiction.<sup>6</sup>

Based on the findings noted above, the FCC has directed the North American Numbering Plan Administrator ("NANPA") as of the effective date of the *First Report and Order*, to assign 311 as a national number through which the public can gain access quickly to non-emergency police and other government services. Pursuant to the FCC's order, when a provider of telecommunications services receives a request from an appropriate entity to use 311 for access to non-emergency police and other government services, the NANPA must ensure that, within six (6) months of the request, entities that were assigned 311 at the local level prior to the

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<sup>4</sup> *Id.* ¶ 35

<sup>5</sup> *Id.* ¶¶ 2-3

<sup>6</sup> *Id.* ¶ 36

effective date of the *First Report and Order* (1) relinquish non-compliant uses and (2) take any steps necessary to complete 311 calls from their subscribers to a requesting 311 entity in their service area.<sup>7</sup> The FCC found further that state and local governments can better address any conflicting requests for use of 311 and should have the discretion to determine whether 311 should be used locally to reach other government services.<sup>8</sup>

### **TPSC's 1993 Interim Order**

Prior to the issuance of the FCC's *First Report and Order*, the Authority reviewed requests for the allocation of N11 numbers pursuant to criteria set forth in the *Interim Order* issued on October 20, 1993 by the Tennessee Public Service Commission ("TPSC") in TPSC Docket No. 92-13892 ("*TPSC Order*") to determine the most qualified applicant for allocation of each N11 number in each local calling area. The criteria in the *TPSC Order* included: (1) the overall financial fitness of the applicant; (2) the technical ability and willingness of the applicant to provide the service on a permanent and continuous basis; (3) the ability and willingness of the applicant to abide by applicable TPSC rules and policies; (4) the rates, services and collection practices to be utilized by the applicant; (5) the extent and duration of the applicant's service to the local community; (6) anticipated future uses by the community of the proposed service being offered by the applicant; and (7) the type of information services to be provided by the applicant over N11 and its relative value to the public and local community.<sup>9</sup>

### **City of Knoxville's Petition**

The City of Knoxville filed its Petition with the Authority on February 1, 2005 seeking allocation of the 311 abbreviated dialing code. According to the Petition, Knoxville intends to set up a "call center" to provide its residents one phone number to gain access to non-emergency

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<sup>7</sup> *Id.* ¶ 35

<sup>8</sup> *Id.* ¶ 37

<sup>9</sup> *In re Investigation of N11 Allocations*, TPSC Interim Order, Docket No. 92-13892, pp. 4-5 (Oct. 20, 1993)

government services. The Petition and supporting documentation declare the City's plans to enable its residents to call one phone number to gain access to non-emergency police and government services.

### **Findings and Conclusions**

The Authority finds that reliance on the criteria in the *TPSC Order* does not conflict with the FCC's national assignment of the 311 abbreviated dialing codes and that these criteria continue to be instructive as the Authority carries out its role of making local assignments<sup>10</sup> Accordingly, the Authority, finds that the Applicant satisfies the criteria in the following manner:

1. **Overall financial fitness, both historical and future:** The City of Knoxville provided financial statements showing the financial fitness for the last fiscal year, 2004 The City of Knoxville will fund the 311 services through the City's General Fund, which is projected to have a balance of \$134,943,000 In July 2004, the Knoxville City Council approved a budget that included \$500,000 for start up costs to initiate the Call Center.

2. **Overall technical ability and willingness to provide service on a permanent and continuous basis:** The City of Knoxville intends to employ a twenty-eight member staff Telephone equipment and facilities are provided to Knoxville by Southeastern Telecommunications which supplies two full-time on-site employees. A manager, supervisor, and four customer service representatives will initially staff the Call Center. The Call Center Manager serves at the will of the Mayor The supervisor and customer support representatives are civil service employees Knoxville uses BellSouth as its principal local service provider Motorola Inc. will provide Knoxville with software and technical assistance to the Customer Service Request system. The City intends to provide the service on a permanent and continuous basis once it is commenced in May 2005.

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<sup>10</sup> This finding is consistent with the Authority's finding in TRA Docket No 02-00126, *Order Approving Allocation of N11 Number (211) to Contact Ministries, Inc.*, (issued May 13, 2002), TRA Docket No 02-00127, *Order Approving Allocation of N11 Number (211) to Contact-Concern of Northeast Tennessee, Inc* (issued June 10, 2002), TRA Docket No 02-00974, *Order Approving Allocation of N11 Number (311) to the City of Chattanooga* (issued January 28, 2003), and TRA Docket No 03-00383, *Order Approving Reallocation of N11 Number (211) from National Telephone Enterprises to United Way of Metropolitan Nashville* (issued February 23, 2004)

3      **Ability and willingness to comply with any applicable Authority rules and policies** The City of Knoxville has provided a statement that it will follow the Authority's rules and policies

4      **The rates, services and collection practices to be utilized by the service provider in providing N11 service:** The City of Knoxville states that it will not charge residents for use of the 311 services.

5.      **The extent and duration of the applicant's service to the local community:** The service will be provided from 8 A.M to 6 P M during weekdays A message center recording and website address will allow for service requests to be submitted on evenings, weekends, and holidays Currently, Knoxville residents are required to select from numerous telephone numbers at multiple City departments when they request a government service or seek information from the City. Upon implementation of the Call Center, residents will be able to continue to call 911 for emergency services and a single number for all other City departments. Additional City departments and divisions may be added as personnel are trained and needs and volume are assessed. A list of City departments and divisions whose calls will be handled by the Call Center will include but not be limited to:

- a. Public Service
- b Codes Enforcement
- c City Engineering
- d Office of the Mayor
- e. City Court
- f Parks and Recreation

6.      **Anticipated future uses by the community of the proposed service being offered by the Applicant:** The City of Knoxville will work with Knox County officials to determine a means of supporting 311 for county service requests. The City of Knoxville will also consider

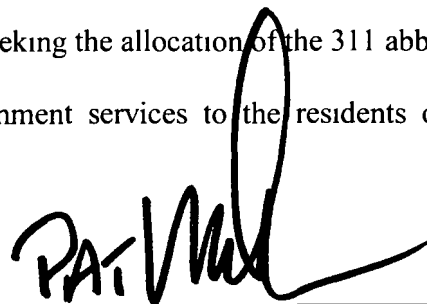
utilizing the call center for those non-emergency services provided by the Police and Fire Departments

7. **The type of information services to be provided over N11 and its relative value to the public and local community.** Through access to the 311 abbreviated dialing code, the Applicant will serve the population of Knoxville, Tennessee by providing all non-public safety services along with allowing the City of Knoxville to more accurately track the performance of city government. Knoxville intends to have information regarding 311 on the city web page. Citizens will be able to submit their own questions and service requests on the web page. The Knoxville Call Center will also participate in regularly scheduled customer surveys to receive comments and improvement suggestions. The Call Center is a component of the City's movement toward a Performance Measurement program designed to create a more efficient and effective government.

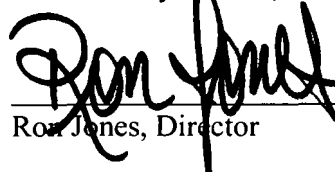
Based upon careful consideration of the Petition and the exhibits thereto, and in following the mandate set forth in the FCC's *First Report and Order* and the criteria set forth in the TPSC's 1993 Interim Order, the Directors voted unanimously to approve allocation of the 311 abbreviated dialing code to the City of Knoxville.

**IT IS THEREFORE ORDERED THAT:**

1. The Petition filed by the City of Knoxville seeking the allocation of the 311 abbreviated dialing codes to provide non-emergency government services to the residents of Knoxville, Tennessee is approved.



Pat Miller, Chairman

  
Deborah Taylor Tate, Director  
Ron Jones, Director